REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-25 are currently pending. Claims 1, 6, 8, 10, and 15-19 have been amended by the present amendment. The amendments to the claims are supported by the originally filed specification and do not add new matter.[1]

In the outstanding Office Action, the specification was objected to as failing to provide proper antecedent basis for the claimed subject matter; Claims 1, 10, 15-18, and 20-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,117,253 to Nakayama et al (hereinafter, "Nakayama") and U.S. Application Publication No. 2004/0163033 to Wolfe et al (hereinafter, "Wolfe") in view of U.S. Patent Application Publication No. 2003/0093790 to Logan et al (hereinafter, "Logan"); Claims 2-5 and 11-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakayama and Wolfe in view of Logan and in further view of U.S. Patent Application Publication No. 2002/0077984 to Ireton (hereinafter, "Ireton"); Claims 6-9 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakayama and Wolfe in view of Logan and in further view of U.S. Patent Application Publication No. 2004/0054650 to Chun (hereinafter, "Chun"); and Claim 19 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakayama and Wolfe in view of U.S. Application Publication No. 2002/0069218 to Sull et al (hereinafter, "Sull").

Regarding the objection to the specification, it is respectfully submitted that support for the claimed "computer-readable medium" is found at least in Fig. 10 and on pages 32 and 33 of Applicants' specification. As a non-limiting example, lines 25-29 on page 32 of Applicants' specification clarify that, a CPU (100) of a client terminal (2) executes processes according to programs read out from a ROM (102) and RAM (103). Therefore, Applicants'

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[1] See, e.g., page 28, lines 15-18 of Applicants' specification.

originally filed specification sufficiently discloses ROM (102) and RAM (103) as computer-

readable media.

Thus, Applicants request that the objection to the Specification be withdrawn.

Regarding the Examiner's notes on pages 3-4 of the Office Action regarding statutory

subject matters, Applicants acknowledge with appreciation the indication that Claims 15, 16,

18, 19, 22, 23, and 25 define statutory subject matter by way of their claim terms. The

Examiner will appreciate that the components disclosed in Applicants' specification are

merely exemplary embodiments of the claimed invention, and that the claims are *not* limited

to these components.

Amended Claim 1 is directed to a contents acquisition method, and recites in part:

> transmitting file request information that requests an
> acquisition/use file including a contents providing address corresponding
> to a request for acquiring contents data stored in an external apparatus *and*
> *an attributes information providing address, separate from the contents*
> *providing address*;
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> *transmitting attributes request information for requesting*
> *contents attributes information* for altering the attributes of the contents
> data corresponding to the in-storage contents identification information *to*
> *the attributes information providing address in the acquisition/use file*
> when the temporary storage of the in-storage contents identification
> information is completed. [Emphasis Added].

Claim 1 recites that file request information is transmitted to request an

acquisition/use file which includes a contents providing address and an attributes information

providing address, which is separate from the contents providing address.

Thus, in an exemplary embodiment of the claimed invention, the acquisition/use file

includes an attributes information providing address, separate from the contents providing

address, where the attributes request information is transmitted to in order to request

contributes attributes information used for altering the attributes of the contents data.

The Office Action associates the claimed acquisition/use file with a control file of a server computer side illustrated in Figure 8 of Nakayama.[2]

Nakayama describes that a control file (23a) of the server computer side includes a host name for accessing HTTP contents and streaming contents (*i.e.*, contents data).[3] Further, Nakayama describes that the control file (23a) includes a management file (14ab) created for each of the contents and includes a version, path, and file name for obtaining the corresponding content.[4]

Further, with regards to the Office Action's association, on page 7 of the Office Action, of the claimed transmitting attributes request information for requesting contents attributes information to the attributes information providing address with a comparison performed in Nakayama's step S15 to determine whether or not the server side file has a later version number, Applicants' submit that Nakayama describes that a local file detected in step S10 is compared with the server file detected in step S14 to determine whether or not the server side file has a later version number.[5] Therefore, this comparison performed in Nakayama's step S15 simply determines whether or not the server side has a later version number, but does *not* disclose or suggest that Nakayama's control file (23a) includes an attributes information providing address.

There is no discussion and therefore no disclosure in Nakayama that the control file (23a) includes an attributes information providing address where an attributes request information may be transmitted to request contents attributes information used for reproducing the HTTP contents or the streaming contents. The control file (23a) in Nakayama does *not* include an attributes information providing address where attributes information can be transmitted to.

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[2] See Office Action dated June 3, 2009, page 5.
[3] See Nakayama, Figures 7 and 8, and paragraphs [0062] – [0068].
[4] Id.
[5] Id. at paragraph [0085] and Fig. 9.

Thus, <u>Nakayama</u> does not disclose or suggest the transmitting of file request information that requests an acquisition/use file including an attributes information providing address, as recited in Claim 1.

An additional cited reference, <u>Logan</u>, describes communication of playlist metadata, under the control of which, selective reproduction of recorded video program segments is carried out.[6] In particular, <u>Logan</u> describes that both a remote location and a user location may receive the playlist metadata from a broadcast programming source.[7] Further, <u>Logan</u> describes that the playlist metadata may be created at the remote facility and transferred on a selective basis to individual users, or that the play list metadata may be created by the users.[8]

Therefore, in <u>Logan</u>, the playlist metadata is either created by the user, received by the user through the broadcast programming source, or the playlist metadata is selectively transferred to the users by the remote facility. There is no discussion and therefore no disclosure in <u>Logan</u> of the user transmitting file request information that requests an acquisition/use file which includes a playlist metadata providing address where playlist metadata request information may be transmitted to request playlist metadata required for reproducing the program segments.

Thus, <u>Logan</u> does not disclose or suggest the transmitting of file request information that requests an acquisition/use file including an attributes information providing address, as recited in Claim 1.

Based on the above discussion, it is respectfully submitted that <u>Logan</u> does not remedy the deficiencies of <u>Nakayama</u> discussed above. Further, it is respectfully submitted that additionally cited reference <u>Wolfe</u> does not remedy the above deficiencies of <u>Nakayama</u> and <u>Logan</u>. Thus, no matter how the teachings of <u>Nakayama</u>, <u>Logan</u>, and <u>Wolfe</u> are

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[6] See <u>Logan</u>, paragraph [0007].
[7] <u>Id</u>. at Figure 1 and paragraph [0134].
[8] <u>Id</u>. at paragraph [0135].

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combined, the combination does not teach or suggest the transmitting of file request

information that requests an acquisition/use file including an attributes information providing

address, as recited in Claim 1.

Please note that the discussion regarding Claim 1 also applies to independent Claims

10, and 15-19 because these claims recite features that are analogous to features recited in

Claim 1.

Accordingly, it is respectfully submitted that independent Claims 1, 10, and 15-19

patentably define over any combination of Nakayama, Wolfe, and Logan.

Regarding the rejections of dependent Claims 2-9, 11-14, and 20-25, the additionally

cited references have been considered but are not deemed more relevant than Nakayama,

Logan, and Wolfe, as discussed above. Accordingly, it is respectfully submitted that

dependent Claims 2-9, 11-14, and 20-25 patentably define over the art of record.
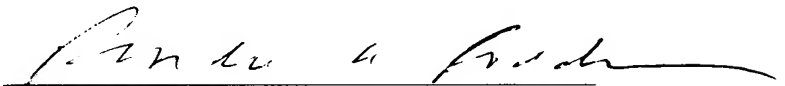
Consequently, in view of the present amendment and in light of the above discussion,

the outstanding grounds for rejection are believed to have been overcome. The application as

amended herewith is believed to be in condition for formal allowance. An early and

favorable action to that effect is respectfully requested.

Respectfully submitted,

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